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## Immigrant advocates see hard road ahead

County policy on immigration warrants continuing to erode trust

by Sebastian Montes | Staff Writer

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Latino groups have resigned themselves that the Montgomery County Police Department will continue to enforce federal civil immigration warrants, despite the continued opposition within immigrant supporters.

"They won't change it, so we have to live with it," said Henry Montes, co-chairman of Leggett's Latin American Advisory Group. "I think there's still some question about what some of the things may mean in terms of being carried out. We feel it might be open to interpretation to officers on the street. ... Somehow or another, they should have an evaluation system to it. It's kind of difficult to say this will work in the rank and file."

A month ago, copies of the draft police policy began circulating in which police would continue enforcing civil immigration warrants, called detainers.

Anti-illegal immigration advocates were dissatisfied because they wanted a full-fledge crackdown. Immigrant advocates called on county leaders to reverse course because the policy was damaging trust of the police within the immigrant community.

Officers learn of the detainers during traffic stops and other routine questioning. Most of those warrants are for civil, not criminal, immigration violations. The person is handed over to federal immigration agents to be deported.

Meeting with Police Chief J. Thomas Manger last month, several Latino leaders worried that much remains unclear in the policy and that there is little way of knowing that officers are sticking to the letter of the law.

Help Save Maryland, and other groups opposed to illegal immigration, were glad to see that County Executive Isiah Leggett (D) and Manger did not retreat from enforcing the warrants, they wanted them to go further, by enrolling in federal training that essentially deputizes local officers as

immigration agents.

"It's just lip service to say they'll enforce that. Leggett just refuses to see the problem. I fear that the county is lost to politicians, and they're just pandering for votes," said Leo Carling, a Help Save Maryland member from Kensington.

Meanwhile, the civil immigration arrests are coming faster in Montgomery than in the five years since the U.S. Department

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of Justice began putting the warrants into a national law enforcement database.

In 2006, county police arrested about 30 people on the civil warrants, according to the county Department of Correction and Rehabilitation. Since then, the pace has nearly tripled; 85 in 2007 and 58 so far this year.

The new directive will be the first update in eight years to officers' orders on dealing with foreign nationals.

County Councilman Mark Elrich was among those who met privately with Leggett last year to ask that he order police to stop enforcing the civil immigration warrants, which are called detainers.

"I have mixed feelings, but I really don't think we should be enforcing the detainers," said Elrich (D-At Large) of Takoma Park. "... If it's because of actions while here, as opposed to merely being here, I don't have any problem with that. If it strictly has to do with immigration status and it's not triggered by a behavioral issue ... then I would prefer us not to be involved in it."

The council, however, is unlikely to legislate police policy, he said.

"We're not going to legislate to tell the police chief what laws to enforce and not enforce," he said. "It might have been good to get a heads up on it ... but I think it's their decision at this point."

Del. Ana Sol Gutierrez, a native of El Salvador, said the policy has changed the dynamic between the police and immigrants.

"We are in extraordinary times. We are no longer able to keep our trust in the police," said Gutierrez (D-Dist. 18) of Chevy Chase. "... What has been good policing [in the past] today is much more threatening to our community."

Help Save Maryland and other groups counter that if immigrants are afraid of having their immigration status checked, it's because they aren't in the country legally.

"When I was a kid, we were afraid of the police, too," Carling said.

The problem, advocates said, is perception. While police try to downplay their role in immigration arrests and build back immigrant trust, the community continues to believe that county police are deporting immigrants.

"Maybe both sides are wrong, maybe both sides are right, but it's happening," said Mariana Cordier, a defense attorney and past president of the Maryland Hispanic Bar Association. "... I see it every day in court, from both sides, victims and witnesses — everyone is extraordinarily afraid."

County officers may ask someone's immigration status only if the person

is not carrying identification, or if it is "relevant to an investigation." Any arrest of a foreign national must be for a local crime or in response to a federal warrant.

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